

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

_____	)	
In re:	)	Case No. 12-12020 (MG)
	)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,	)	Chapter 11
	)	
Debtors.	)	Jointly Administered
_____	)	

**SECOND SUPPLEMENTAL DECLARATION OF DEANNA HORST IN SUPPORT OF  
THE OBJECTION OF THE RESCAP BORROWER CLAIMS TRUST  
TO PROOFS OF CLAIM FILED BY KAREN MICHELE ROZIER  
(CLAIM NOS. 4738 AND 5632)**

I, Deanna Horst, hereby certify that:

1. I am the Chief Claims Officer for The ResCap Liquidating Trust (the “Liquidating Trust”).

2. On September 3, 2014, the ResCap Borrower Claims Trust (the “Borrower Trust”) filed the *Objection of the ResCap Borrower Claims Trust to Proofs of Claim Filed by Karen Michele Rozier (Claim Nos. 4738 and 5632)* [Docket No. 7474] (the “Objection”) <sup>1</sup> which included my declaration in support of the Objection (see Exhibit 3-A annexed to the Objection) (the “Horst Declaration”). In preparing the Objection and the Horst Declaration, I, along with the Liquidating Trust’s employees, consultants and professionals, reviewed the Debtors’ books and records and compiled documents that were referenced in the Horst Declaration in an effort to provide a narrative of Ms. Rozier’s loan history.

3. On October 20, 2014, in addition to other documents filed by the Borrower Trust in support of the Objection,<sup>2</sup> my supplemental declaration was filed in further support of the

<sup>1</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Objection.

<sup>2</sup> These other filings include: (i) *Notice of Supplemental Declaration of Deanna Horst in Support of the Objection of the ResCap Borrower Claims Trust to Proofs of Claim Filed by Karen Michele Rozier (Claim* ny-1162952

Objection [Docket No. 7653] (the “Supplemental Declaration”). This Second Supplemental Declaration is also filed in support of the Objection.

4. On October 22, 2014, the Court held a hearing on the Objection and the related filings. During the hearing, the Court noted that the Notice of Substitution of Trustee, dated April 4, 2011, previously submitted by the Borrower Trust as Exhibit 3-A.15 to the Horst Declaration (the “Substitution of Trustee”), did not have a record stamp indicating the date on which it was filed in the county records.

5. At my direction, employees of the Liquidating Trust reviewed the public records for Orange County, California and located a recorded copy of the Substitution of Trustee. Accordingly, I, in cooperation with the Borrower Trust, hereby seek to supplement the record by replacing the document originally filed as Exhibit 3-A.15 with the recorded form of the Substitution of Trustee Exhibit 3-A.15, annexed hereto as Exhibit 1, which indicates that the Substitution of Trustee was recorded on April 11, 2011.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 23, 2014

/s/ Deanna Horst  
\_\_\_\_\_  
Deanna Horst  
*Chief Claims Officer for the ResCap Liquidating Trust*

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*Nos. 4738 and 5632) [Docket No. 7653]; (ii) The ResCap Borrower Claims Trust's Reply in Support of its Objection to Proofs of Claim Filed by Karen Michele Rozier (Claim Nos. 4738 and 5632) [Docket No. 7655]; and (iii) The ResCap Borrower Claims Trust's Omnibus Objection to Karen Michele Rozier's Motions to Strike the Declarations of Deanna Horst and Yaron Shaham in Support of the Objection of the ResCap Borrower Claims Trust to Proofs of Claim Filed by Karen Michele Rozier (Claim Nos. 4738 and 5632) [Docket No. 7654].*

**EXHIBIT 1**

**Recorded form of Exhibit 3-A.15**

RECORDING REQUESTED BY:

Recorded In Official Records, Orange County

Tom Daly, Clerk-Recorder



9.00

LSI TITLE COMPANY, INC.

2011000181719 08:00am 04/11/11

37 402 S15 1

0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00

ETS Services, LLC  
2255 North Ontario Street, Suite 400  
Burbank, California 91504-3120  
(818) 260-1600

TS NO : GM-278944-C  
LOAN NO : [REDACTED] 1144

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**SUBSTITUTION OF TRUSTEE**

WHEREAS, "KAREN M. ROZIER", A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY was the original Trustor, WESTWOOD ASSOCIATES, A CALIFORNIA CORPORATION was the original Trustee, and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR WMC MORTGAGE CORP., A CORPORATION was the original Beneficiary under that certain Deed of Trust dated 12/23/2005 and recorded on 1/4/2006 as Instrument No. 2006000006922, in Book XX, Page XX of Official Records of Orange County, California; and

WHEREAS, the undersigned is the present Beneficiary under said Deed of Trust, and

WHEREAS, the undersigned <sup>Hereby</sup> desires to substitute a new Trustee under said Deed of Trust in place and instead of said original Trustee, or Successor Trustee, thereunder, in the manner in said Deed of Trust provided,

NOW, THEREFORE, the undersigned <sup>Hereby</sup> desires to substitute Executive Trustee Services, LLC dba ETS Services, LLC, as Trustee under said Deed of Trust.

Whenever the context hereof so requires, the masculine gender includes the feminine and/or neuter, and the singular number includes the plural.

Dated : April 4, 2011

Bank of America, National Association as successor by merger to  
LaSalle Bank National Association as Trustee RAMP 2007RP1 by  
Residential Funding Company, LLC fka Residential Funding  
Corporation, Attorney-In-Fact

Tracie Schmidheiser  
Tracie Schmidheiser Authorized Officer

State of Pennsylvania } ss.  
County of Montgomery

On APR 04 2011 before me, Nikole Shelton Notary Public, personally appeared Tracie Schmidheiser who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of Pennsylvania that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Nikole Shelton (Seal)

